

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN**

MERRY CHANCE INDUSTRIES, LTD.,	)	
	)	Civil Action No. 1:06CV0831
Plaintiff,	)	
	)	HON. WENDELL A. MILES
v.	)	Senior, U.S. District Judge
	)	
KOHL'S CORPORATION, KOHL'S ILLINOIS,	)	
INC., KOHL'S DEPARTMENT STORES, INC.,	)	
DLR PRODUCTS, INC., NATIONAL BROOM	)	
COMPANY OF CALIFORNIA, INC. (d/b/a JLR	)	
GEAR), and DAVID L. ROTHMAN,	)	
	)	
Defendants.	)	

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**ACCEPTANCE OF OFFER OF JUDGMENT**

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TO: Kohl's Corporation et al.  
c/o Matthew J. Gipson  
Price, Heneveld, Cooper, DeWitt & Litton, LLP  
695 Kenmoor S.E.  
P.O. Box 2567  
Grand Rapids, MI 49501

Plaintiff, Merry Chance Industries, Ltd., accepts Defendants, Kohl's Corporation and its affiliates, Kohl's Illinois, Inc. and Kohl's Department Stores, Inc., and DLR Products, Inc., National Broom Company of California, Inc. (d/b/a JLR Gear), and David L. Rothman (collectively "Defendants") Offer of Judgment made pursuant to Rule 68 of the Federal Rules of Civil Procedure dated March 14, 2007. Defendants' offer is to allow judgment to be taken against them in this matter in the sum of \$11,699.00, plus the transfer of molds utilized to make the allegedly infringing product to Plaintiff. Defendants' offer also includes the entry of a

permanent injunction order against them, enjoining them from the sale of brushes identified in the Complaint. The sum set out in the offer includes all costs incurred to date.

Defendants agree not to pursue any defense or counterclaim related to the present lawsuit. However, Defendants expressly reserve the right to challenge the alleged validity, infringement of, and enforceability of the '006 patent in any future litigation.

Respectfully submitted,

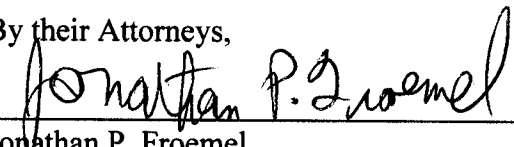
MERRY CHANCE INDUSTRIES, LTD.

Plaintiffs,

By their Attorneys,

Date: March 28, 2007

By:

  
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Barnes & Thornburg LLP  
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